

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
No. 24-CV-380**

C.M., *a minor, through his parents,*
LEAH MCGHEE AND CHAD
MCGHEE,

Plaintiff,

v.

DAVIDSON COUNTY BOARD OF
EDUCATION; *and* ERIC R.
ANDERSON, *in his individual*
capacity,

Defendants.

**PLAINTIFF’S MOTION FOR
SETTLEMENT APPROVAL**

Plaintiff C.M., a minor, through his parents Leah McGhee and Chad McGhee, files this motion for approval of a settlement pursuant to LR 17.1(c), against Defendant Davidson County Board of Education (the “Board”) and Eric R. Anderson. A copy of the proposed settlement is submitted as Exhibit A (the “Proposed Settlement”).

Local Rule 17.1(c) establishes that no civil action in which a minor is a party may be settled or otherwise terminated without the approval of the court. The court must find that the proposed settlement is fair, reasonable, and in the best interest of the minor. L.R. 17.1(c)(3). The court must ultimately hold a hearing to establish these and other factors. L.R. 17.1(c)(4).

C.M. is a former student at Central Davidson High School. C.M. was suspended in April of 2024 when, during a sophomore English class, he asked whether a reference to “aliens” during class discussion referred to space aliens or illegal aliens who need green cards. Defendant Eric Anderson, Vice Principal of the school, equated C.M.’s use of the phrase with a racial slur and suspended him for three days, out of school, without a hearing or the opportunity to appeal. The suspension documents declared that his comment was racially motivated. The details of this interaction, and the impact of the Defendants’ conduct, are set forth in the Declarations of C.M. and his mother, Leah McGhee, which were submitted in support of Plaintiff’s Motion for a Preliminary Injunction (ECF Nos. 5-1, 5-2).

After more than one year of litigation, the Parties have agreed on a settlement that is fair, reasonable, and in the best interest of C.M. for the following reasons:

1. This Proposed Settlement removes all references to racial bias in C.M.’s school record. C.M. will soon be applying to colleges, and it is important to ensure that false allegations of racism do not unfairly impede his college opportunities.

2. The Proposed Settlement includes a public apology from the Board for the mischaracterization of racial bias in C.M.’s school records, along with

an apology from an individual former board member for additional inappropriate conduct after the suspension. These apologies will help grant C.M. closure and clarify that C.M. has never engaged in any racially motivated incidents at school.

3. The Proposed Settlement provides C.M. with monetary compensation intended to defray the costs of his new school, which is private and charges annual tuition.

The Parties have agreed that the Court must approve the settlement of this Lawsuit before execution of this Agreement and fulfillment of the covenants and promises made herein.

REQUEST FOR RELIEF

WHEREFORE, C.M. respectfully requests that the Court schedule a hearing pursuant to L.R. 17.1(c)(4) to approve the Proposed Settlement.

Dated: May 30, 2025

Respectfully submitted,
/s/ Troy D. Shelton
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Dean McGee (special appearance entered)

James McQuaid (special appearance entered)

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